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**STATE OF HAWAII
STATE PUBLIC CHARTER SCHOOL COMMISSION
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RECOMMENDATION SUBMITTAL

DATE OF SUBMITTAL: September 2, 2016
DATE OF MEETING: September 8, 2016
TO: Catherine Payne, Chairperson
FROM: Sione Thompson, Executive Director
AGENDA ITEM: XIX. Action on Commission Legislative Advocacy for 2017 Legislative Session

I. DESCRIPTION

Consideration of and proposal to revise Commission’s legislative advocacy positions for the 2017 legislative session.

AUTHORITY

Pursuant to §302D-5(c), Hawaii Revised Statutes, “[a]n authorizer may delegate its duties to officers, employees, and contractors.”

II. BACKGROUND

At its January 14, 2016 general business meeting, the Commission adopted its Standing Advocacy Principles and its 2016 Advocacy Positions to guide the Commission staff in its legislative advocacy efforts.

The Standing Advocacy Principles are a short list of overarching principles to which the Commission is committed on the most general issues. This list remains “as is” unless subsequently amended by the Commission.

The annually updated Advocacy Positions are a list of positions on more timely and/or temporarily significant or relatively narrower issues. This list expires every year, to be replaced by a newly

reconsidered list. As a practical matter, this is not a list of formal positions on specific pending legislation, and in the interest of focusing and maximizing the effectiveness of advocacy efforts; this list also is relatively short. Having this list, however, enables the Commission to consider issues of importance, or anticipated importance, during a particular year that may not be addressed by the general Standing Advocacy Principles.

The highest priority for the Commission is legislation specifically addressing the charter school system and/or the charter schools collectively, followed by legislation that otherwise would have an impact on the charter school system and/or a unique impact on charter schools as compared to other public schools or other institutions.

III. DECISION MAKING STATEMENT

The Commission's Standing Advocacy Principles are attached as Exhibit 1. These are very general principles and have not been substantively revised from those adopted last year.

The proposed 2017 Advocacy Positions are attached as Exhibit 2. This list includes some positions repeated from 2016, as well as a proposal regarding an issue that was brought to staff's attention by the Criminal Justice Data Center regarding the background checks on charter school employees provided by private vendors.

As occurred last Session, unanticipated additional issues may arise for which we may need to seek revisions to this list. As also happened last Session, we anticipate that further research into some of these issues could result in a recommendation that a position stated here be deleted or modified.

IV. RECOMMENDATION

Proposed Motion:

“Moved that the Committee recommend the Commission adopt the proposed revisions to the 2017 Advocacy Positions, as presented in the staff submittal dated August 18, 2016.

Further, reorder the priorities to make additional charter school funding the foremost priority and submit these legislative priorities to the Board of Education and the Department of Education and request that additional charter school funding be included in the department's request for funding, beginning in the 2017-2019 biennium budget.”
(Passed unanimously)

Exhibit 1
Standing Advocacy Principals

HAWAII STATE PUBLIC CHARTER SCHOOL COMMISSION STANDING ADVOCACY PRINCIPLES

Purposes of charter schooling

Public policy and policymakers should recognize public charter schools as a tool for addressing state educational challenges, as a means of offering excellent educational choices to all students and families, as a means of testing and modeling educational innovations, and ultimately as a strategy for strengthening our public school system as a whole.

Charter school autonomy

To the maximum extent consistent with safeguarding the educational interest of students and the responsible use of public resources, public policy and policymakers should respect the decision-making and operational autonomy of charter schools.

Charter school accountability

Public policy and policymakers should ensure that Hawaii's charter school system is able to safeguard the educational interests of students and the responsible use of public resources.

Applicability of state laws and policies to charter schools

Whether and how state statutes, regulations, policies, collective bargaining agreements, and other sources of regulatory authority apply to charter schools should be made as clear as possible, both within the specific terms of those sources of authority as well as in related communications by the public agencies responsible for their implementation.

Charter school funding and support

Charter schools must be funded and supported adequately to be able to meet the educational needs of their students and to fulfill their role as a strategy for system-wide improvement. This particularly includes funding and other support for adequate facilities.

Exhibit 2
2017 Advocacy Principals

**HAWAII STATE PUBLIC CHARTER SCHOOL COMMISSION
2017 LEGISLATIVE ADVOCACY POSITIONS**

Charter school funding and facilities:

The Commission will seek support for the introduction of bills for the following:

Support for facilities

The Commission's top priority this legislative session will be facilities funding for schools. Make funding and other tools available to support charter school facility needs. Facilities funding is vital ensure the financial health of public charter schools.

Study of per-pupil funding system

Request an impartial and capable state agency like the State Auditor or the Legislative Reference Bureau to study the per-pupil system in depth to determine whether it fulfills its statutory purpose of equalizing operational funding among public schools.

Direct funding of certain employee costs

Fund certain employee costs payable only by some schools, such as incentive pay for hard-to-fill teaching positions and for National Board teacher certification, to impacted schools rather than through per-pupil funding.

Funding for startup grants for school proposed to meet priority needs

Provide state funding to the Commission for start-up grants to be awarded to approved pre-opening charter schools that are intended to address the system priority needs identified in the request for proposals under which the schools' applications were approved.

Charter schools generally:

Background checks for charter school employees and volunteers

Require all public charter schools to utilize the Hawaii Criminal Justice Data Center for their criminal history record checks for all charter school employees and volunteers. Private vendors that offer criminal background checks do not have access to Federal Bureau of Investigation records, thereby creating possible exposure to Charter Schools who may be using these services.

The Charter School Commission:

Although the Commission will not seek to introduce any bills pertaining to the following topics/issues the Commission will advocate and provide testimony for the following:

Multiple authorizers

Ensure that any possible legislation proposed during the 2017 session that proposes the creation of any additional authorizers is done in accordance with best practices, including, but not limited to, a rigorous application process, safeguards against inappropriate authorizer shopping, and authorizer accountability based on the performance of the schools in the authorizer's portfolio.

Charter contracts

Ensure that any possible legislation proposed during the 2017 session relating to Charter School Contracts preserve the Commission's discretion to use a standard charter contract with such individualized provisions as the Commission may deem appropriate.

Strengthening of early learning

Support any possible legislative efforts to improve Hawaii's infrastructure for quality early learning and provide for the sustainability of preschool programs in all public schools, including charter schools, beyond the term of the Commission's federal pre-kindergarten grant.